



VICTOR STAFF REPORT

Decision Item Agenda Documentation

PREPARATION DATE: December 6, 2018

MEETING DATE: January 9, 2018

SUBMITTING DEPARTMENT: Administration

DEPARTMENT DIRECTOR: Olivia Goodale, City Administrator

PRESENTER: Olivia Goodale

SUBJECT: Teton Valley Foundation- Supplemental Management Plan for Off-season (April – October) Events and Activities

Re: Applicable Victor Values:

- | | | |
|---|---|---|
| <input type="checkbox"/> Culturally Historic | <input type="checkbox"/> Sustainable | <input checked="" type="checkbox"/> Connected to Nature |
| <input checked="" type="checkbox"/> Small Town Feel | <input checked="" type="checkbox"/> Family Friendly | <input checked="" type="checkbox"/> Administrative Need |

STATEMENT/PURPOSE

The purpose of this item is for Council to consider a Supplemental Management Plan for the Kolter Arena that addresses off-season (April – October) events and activities.

BACKGROUND/ALTERNATIVES

The attached Supplemental Management Plan broadly addresses off-season (April -October) events hosted by the Teton Valley Foundation (TVF), other organizations and the City including management responsibilities, when permits are required, and events involving alcoholic beverages.

The Kolter Ice Arena Management Plan dated September 3, 2016 requires that if the Tenant desires to use the Premises for activities other than for an ice rink a separate management plan will be developed and forwarded to the City of Victor for approval prior to such use. This past summer, the TVF created a human foosball court under an approved special event permit. Because the event was a success, TVF would like to continue to operate a summertime human foosball court that would also be used as a warm up area during hockey season. The attached Supplemental Management Plan also addresses that specific use.

The Plan allows for a 60 day written termination, as opposed to a 30 day termination. Within a 30 day termination, TVF would have already put a great deal of planning and financial investment in to an event or activity.

ALIGNMENT WITH STRATEGIC INTENT

Supporting the Teton Valley Foundation’s Kolter Ice Arena endeavor supports “Small Town Feel,” “Family Friendly”, and “Connected to Nature.”

ATTACHMENTS

Supplemental Management Plan

FISCAL IMPACT

None

STAFF IMPACT

Minimal

LEGAL REVIEW

Complete

RECOMMENDATION

Staff recommends Council approve the plan as presented.

SUGGESTED MOTION

I move to approve the Supplemental Management Plan for Off-season (April – October) Events and Activities at the Kolter Arena, subject to minor changes approved by the City Attorney.

(Roll Call Vote)

Kotler Ice Arena

TVF SUPPLEMENTAL Management Plan – Off-season (April – October) Events and Activities

December 12, 2018

A. Requirements

1. Article 5 of the Amended and Restated Lease between the City of Victor and the Teton Valley Foundation, Inc. (Tenant) dated December 2016 requires the Tenant to develop a management plan of the day-to-day operations of the Premises.
2. The Kolter Ice Arena Management Plan dated September 3, 2016 requires that if the Tenant desires to use the Premises for activities other than for an ice rink a separate management plan will be developed and forwarded to the City of Victor for approval prior to such use.
3. Tenant has the right and authority to conduct and/or arrange for activities that are not related to the operation of an ice rink at the Premises during months in which the ice rink is not in operation (April – October), subject to the terms of the above mentioned Amended and Restated Lease and this Supplemental Management Plan dated December 12, 2018.
4. All activities must abide by and in accordance with the laws and rules of the State of Idaho, Teton Count and the City of Victor.
5. As noted in Article 5 of the Amended and Restated Lease, this Management Plan may be amended from time to time by the Landlord with input from the Tenant. The Landlord may terminate this Management Plan upon 60 days written notice to Tenant.

B. General Management Plan

1. Tenant assumes full responsibility and management of any events and/or activities hosted or sponsored by the Tenant.
2. Tenant's management may be subject to oversight by the City of Victor if the City decides such oversight is necessary.
3. Tenant shall obtain a special event permit for any events or activities that 1) request exemption from City of Victor municipal code, or 2) request services of City staff and City equipment including associated application fees and City service fees and/or medical or security presence, or 3) consist of 200 or more people. Sales are allowed at Tenant hosted events. Any other organizations conducting sales under a Tenant hosted event or activity may do so with Tenant's permission but must obtain a temporary business license.

4. If the Tenant is approached by any other organization desiring to host off-season events or activities, the Tenant will require the organization to prepare a management plan, which will be forwarded to the City for approval prior to such use, and that the other organization obtain a certificate of insurance naming the Tenant and City of Victor as an additional insured. Management Plans addressing a single event hosted by another organization shall be approved by the City Administrator or designee. The other organization will be required to obtain a special event permit for any events or activities that 1) request exemption from City of Victor municipal code, or 2) request services of City staff and City equipment and/or medical or security presence, or 3) consist of 200 or more people, including associated application fees and City service fees. When a special event permit is obtained, a Management Plan is not required.
5. The Tenant must notify the Landlord of events or activities involving alcoholic or malt beverages. All proper permit and approvals will be required in addition of a certificate of insurance that includes liquor liability coverage and names the City of Victor as an additional insured.
6. If the City of Victor desires to use the Premises for any activities outside the operational ice rink season, the City will notify the Tenant. It will be the City's responsibility to manage and secure the Premises for any activity planned by them, to pay for any utilities during this period, to pay to roll up and relay the refrigeration piping if it's in place and to re-grade the gravel surface to its pre-existing condition.
7. The tenant may place temporary signage on the Premises subject to Division 11.3.4 Temporary Signs of the Victor City Municipal Code.
8. After all events hosted by Tenant or another organization approved by Tenant, Tenant must inspect the Premises to make sure it is returned to its original condition and all trash and debris has been cleaned up within 24 hours of the event.

Supplemental Ice Hockey Shooting Area and Human Foosball Area:

1. Tenant will build & maintain a supplemental ice hockey shooting area located to the north of the ice rink approximately 35 feet by 14 feet in size. The shooting area will be used seasonally November – March as a warm up & practice area for kids during the ice rink season. The shooting area will be made with a wood perimeter and used by hockey players for practice. The interior of the shooting area will be the natural ground surface (grass/snow) and will not have an ice surface. Tenant will be responsible for any necessary landscaping or maintenance to and within the shooting area.
2. In the off periods of the ice rink season (April – October) tenant will use the area for human foosball tournaments or group rentals. Tournaments and group rentals will be organized & managed by the Tenant under the tenants existing general liability and event insurance coverage policy, which lists the Landlord as additional insured.

3. All participants will be required to sign a waiver to participate in human foosball events and activities.
4. The necessary pieces to turn the shooting area in to a human foosball court will not be installed when the area is not in use by the tenant, thus preventing unauthorized use.
5. The shooting area may include advertising banners installed on the perimeter for event use only. Advertising will not be displayed outside of event time periods.
9. Alcoholic and malt beverages may be consumed during human foosball events provided that all proper permit and approvals will be required in addition of a certificate of insurance that includes liquor liability coverage and names the City of Victor as an additional insured.
6. Where not otherwise specifically addressed in this Section, provisions listed in Section B of this Management Agreement shall further apply to the Human Foosball area events or activities.